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By: **Delegates Giannetti, Vallario, Zirkin, K. Kelly, Valderrama, Griffith,  
Patterson, and Conroy**

Introduced and read first time: February 8, 2001

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Counterfeiting, Forgery, and Credit Card Offenses -**  
3 **Concurrent Jurisdiction of Trial Courts**

4 FOR the purpose of providing that the District Court has exclusive jurisdiction in a  
5 criminal case involving counterfeiting and forgery whether a felony or  
6 misdemeanor and certain crimes related to credit cards under certain  
7 circumstances; providing that the jurisdiction of the District Court is concurrent  
8 with a circuit court in criminal cases involving counterfeiting, forgery, and  
9 certain credit card crimes under certain circumstances; and generally relating to  
10 the criminal jurisdiction of the District Court and circuit courts.

11 BY repealing and reenacting, with amendments,  
12 Article - Courts and Judicial Proceedings  
13 Section 4-301(b)  
14 Annotated Code of Maryland  
15 (1998 Replacement Volume and 2000 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article - Courts and Judicial Proceedings  
18 Section 4-302(a) and (d)(1)  
19 Annotated Code of Maryland  
20 (1998 Replacement Volume and 2000 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Courts and Judicial Proceedings**

24 4-301.

25 (b) Except as provided in § 4-302 of this subtitle, the District Court also has  
26 exclusive original jurisdiction in a criminal case in which a person at least 18 years  
27 old or a corporation is charged with:

- 1           (1)     Commission of a common-law or statutory misdemeanor regardless  
2 of the amount of money or value of the property involved;
- 3           (2)     Violation of §§ 342 through 344 of Article 27 of the Code, whether a  
4 felony or a misdemeanor;
- 5           (3)     Violation of a county, municipal, or other ordinance, if the violation is  
6 not a felony;
- 7           (4)     Criminal violation of a State, county, or municipal rule or regulation,  
8 if the violation is not a felony;
- 9           (5)     Doing or omitting to do any act made punishable by a fine,  
10 imprisonment, or other penalty as provided by the particular law, ordinance, rule, or  
11 regulation defining the violation if the violation is not a felony;
- 12          (6)     Violation of Article 27, § 141 of this Code, whether a felony or a  
13 misdemeanor;
- 14          (7)     Violation of Article 27, § 145 of this Code, whether a felony or  
15 misdemeanor;
- 16          (8)     [Violation] FORGERY OR VIOLATION of Article 27, [§ 44] §§ 44  
17 THROUGH 58 of the Code, WHETHER A FELONY OR MISDEMEANOR;
- 18          (9)     Violation of Title 27, Subtitle 4 of the Insurance Article, whether a  
19 felony or a misdemeanor;
- 20          (10)    Violation of § 9-1106 of the Labor and Employment Article;
- 21          (11)    Violation of § 14-1402 OR § 14-1403 of the Commercial Law Article;
- 22          (12)    Violation of Article 27, § 388 of the Code;
- 23          (13)    Violation of Article 27, § 388A of the Code; or
- 24          (14)    Violation of Title 11, Subtitle 5 of the Financial Institutions Article.

25 4-302.

26       (a)     Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13),  
27 and (14) of this subtitle, the District Court does not have jurisdiction to try a criminal  
28 case charging the commission of a felony.

29       (d)     (1)     Except as provided in paragraph (2) of this subsection, the  
30 jurisdiction of the District Court is concurrent with that of the circuit court in a  
31 criminal case:

32               (i)     In which the penalty may be confinement for three years or  
33 more or a fine of \$2,500 or more; or

1                   (ii)       Which is a felony, as provided in § 4-301(b)(2), (6), (7), (8), (9),  
2 (10), (11), (12), (13), and (14) of this subtitle.

3       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2001.